

Application No. 08/919,450

REMARKS

In the application claims 36-47 remain pending. Claims 1-35 have been canceled. Support for the added claims may be found in the specification and figures as originally filed. No new matter has been added. In view of the cancellation of claims 1-35, the reconsideration of the rejection of the claims is respectfully requested.

In the Office Action, the previously pending claims were primarily rejected under 35 U.S.C. § 103 as being obvious of Sisley (U.S. Patent No. 5,737,728). In rejecting the previously pending claims, the Office Action asserted that Sisley teaches a system and method for assigning and scheduling resource requests to arrive at near-optimal assignment and scheduling solutions. Thus, the Office Action concluded that one of ordinary skill in the art would have been motivated to modify the system disclosed in Sisley to use quota information "because the quota information makes received information for a task assignment more accurate and complete."

As this rejection may be applied to the claims as added, it is submitted that neither Sisley nor the remaining art of record can be said to disclose, teach, or suggest a system or method

wherein programming is utilized to attempt to assign to each of a plurality of unassigned service requests one or more of a plurality of technicians as a function of at least a skill level of each of the plurality of technicians, a skill level required by each of the plurality of unassigned service requests, prior service requests assigned to each of the plurality of technicians [via the programming, and an amount of time to complete each of the plurality of unassigned service requests.] In this regard, rather than disclose a system having programming designed to assign technicians to a plurality of unassigned service requests, Sisley discloses a system that is

designed only to explore the effects of an incremental change to an existing call set (i.e., a set of service requests already assigned to technicians). The incremental change is caused by a single

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event, namely, adding a new call, removing a pending call, or reassigning a pending call. To explore the effects of such an incremental change to an existing call set, the system of Sisley "assumes that the existing assignment set is already optimized, and limits the task only to minimizing the effects of the incremental change." (Col. 8, lines 5-9). Therefore, since Sisley is concerned only with minimizing the effects of an incremental change to an already existing call set as a result of a single event, Sisley cannot be said to disclose, teach, suggest, or even contemplate the following elements set forth in the claims at issue: 1) attempting to assign technicians to a plurality of unassigned service requests (i.e., which step is used to create a call set); 2) considering a skill level required by each of the plurality of unassigned service requests; 3) considering prior service requests assigned to each of the plurality of technicians via the programming; and 4) considering an amount of time to complete each of the plurality of unassigned service requests. In sum, since Sisley describes no more than considering the impact of a single service request on an existing call set, the rejection of the claims must be withdrawn.

not in claim

obvious

It is further respectfully submitted that the mere fact that Sisley can be modified in some manner to arrive at the claimed invention does not render the claimed invention obvious. Rather, Sisley, or some other reference, must suggest the desirability of modifying the system disclosed in Sisley to include each and every element set forth in the claims. With respect to Sisley, Sisley teaches directly against using optimization techniques to create an original call set. In this regard, Sisley describes: "Due to the combinatorial complexity of the problem, a complete run of the optimization technique often requires several hours of processing time. This complexity renders the pure optimization techniques too slow for practical purposes." (Col. 3, lines 37-41). Thus, rather than suggest a system which attempts to optimize the assignment of technicians to a plurality of unassigned service requests, Sisley clearly emphasizes that his disclosed system is

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only to be used to explore the effects of an incremental change to an existing call set, which existing call set was created using a "primary technician approach," where service requests are assigned technicians that are designated as primary technicians for particular customers, or a "one-call-at-a-time approach," where new calls are assigned to a technician "based on an objective function." (Col. 2, lines 26-38). Therefore, for the reason that neither Sisley nor any cited art can be said to suggest a modification of the system disclosed in Sisley to arrive at the invention claimed, the rejection must be withdrawn.

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 claim

Still further, it is respectfully submitted that, since Sisley is concerned only with a modification of an existing call set, Sisley fails to teach, suggest, or contemplate the claimed displaying an indication if any of the plurality of unassigned service requests remain unassigned as a result of processing via the programming. In particular, since the service requests of Sisley are assumed to have been already assigned to a technician, it would be superfluous to modify Sisley to display an indication of any service requests that remain unassigned as a result of the processing since no such service requests ^{for unassign} would exist. Accordingly, for this further reason, the claims should be found to be allowable over Sisley alone or in combination with the remaining cited art.

Turning to the dependent claims, it is respectfully submitted that no art has been cited to that has language that expressly suggests modifying Sisley to include each and every element of:

- 1) displaying a geographic location of one or more of the plurality of technicians; 2) displaying an icon to represent a cancellation of a service request that has been assigned to at least one technician via the programming; or 3) displaying an icon to represent a type of each of the one or more service requests that have been assigned to at least one technician via the programming.

Therefore, it is respectfully submitted that the dependent claims are also allowable.

e.g.

case
 "status"
 at PRO
 "PAIR"

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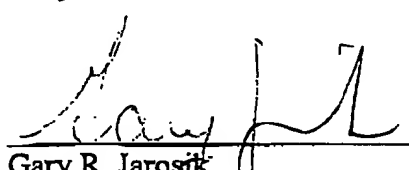
CONCLUSION

The subject application is considered to be in condition for allowance. Such action on the part of the Examiner is respectfully requested. If, however, the Examiner feels that a telephone conference would expedite the allowance of the subject application, the Examiner is requested to contact the attorney undersigned.

Respectfully Submitted

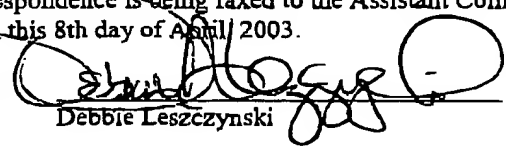
Date: April 8, 2003

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Certificate of Transmission: I hereby certify that this correspondence is being faxed to the Assistant Commissioner for Patents, Attn: Cuong H. Nguyen at (703) 746-5572 on this 8th day of April, 2003.

By:


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